

AMENDMENTS TO THE DRAWINGS

Figure 1 has been amended to clarify the coupler 1 and the PABX 50.

Attachment: Figure 1 – Annotated Sheet

REMARKS

This Response, submitted in reply to the Office Action dated August 20, 2008, is believed to be fully responsive to each point of rejection raised therein. Accordingly, favorable reconsideration on the merits is respectfully requested.

Claims 1-23 and 25 are all the claims pending in the application.

I. Drawings

The Examiner has objected to the drawings. Applicant has amended the drawings as indicated above. Therefore, Applicant requests that the objection to the drawings be withdrawn. Further, Applicant requests that the Examiner approve the drawing and a replacement drawing can subsequently be filed.

II. Specification

The Examiner states that the specification does not provide antecedent basis for the “tangible computer readable medium” of claims 17-21.

In order to expedite the prosecution for the present application, Applicant has amended the claims as indicated above. Applicant submits that, for example, page 8 of the Applicant’s specification recites a microprocessor for performing a program. Therefore, Applicant requests that the objection to the specification be withdrawn.

Further, Applicant has amended the specification to include PABX 50 as illustrated in Figure 1.

III. Rejection of claims 17-21 under 35 U.S.C. § 101

Claims 17-21 are rejected under 35 U.S.C. § 101 because the claimed invention is allegedly directed to non-statutory subject matter. Specifically, the Examiner states that there is insufficient support in the specification for a “computer readable medium storing instructions.” As discussed above, Applicant has amended claims 17-21. Applicant believes that such amendments should be sufficient to address the 35 U.S.C. § 101 rejection, therefore, Applicant requests that the rejection be withdrawn.

IV. Rejection of claims 17-21 under 35 U.S.C. § 112, first paragraph

Claims 17-21 are rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement.

The Examiner asserts that there is inadequate support in the specification for “a tangible computer readable medium storing instructions.” Therefore, the Examiner asserts claims 17-21 constitute new matter.

As discussed above, Applicant has amended claims 17-21. Applicant believes that such amendments should be sufficient to address the 35 U.S.C. § 112, first paragraph rejection, therefore, Applicant requests that the rejection be withdrawn.

V. Rejection of claims 3-6, 14 and 18 under 35 U.S.C. § 112, second paragraph

Claims 3-6, 14 and 18 are rejected under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The Examiner asserts that there is some confusion with respect to the claim limitations due to the order of the claim limitations. Applicant refers the Examiner to, for example, page 7, lines 27 to page 8, lines 13 which teaches this aspect of the claims. See also Fig. 2, steps 25-28.

Therefore, Applicant requests that the 35 U.S.C. § 112, second paragraph rejection of claims 3-6, 14 and 18 be withdrawn.

VI. Rejection of claims 1-23 and 25 under 35 U.S.C. 103

Claims 1-23 and 25 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Dunn et al. (U.S. 6,324,280) (hereinafter "Dunn") in view of Park (U.S. 5,675,634).

Claim 1

Claim 1 recites "a coupler accessing signaling channels to transmit signaling messages." The Examiner asserts that network 6 of switch 1 teaches the claimed coupler. Network 6 is a switching network for establishing connections between the incoming local PSTN and the Internet or the toll network.

Claim 1 further recites "an interpreter producing a signaling configuration upon receiving an order to send a signaling message, wherein a type of signaling channel is selected from the signaling channels accessible to the coupler and the signaling configuration produced depends on

the selected type of signaling channel.” The Examiner asserts that processor 5 teaches the claimed interpreter. The Examiner reasons that processor 5 receives a request to establish a connection from originating station 25, analyzes the digits of the call request, determines whether to route the call over the Internet or a toll network, then generates a call setup signaling configuration.

However, merely because Dunn determines whether to route a call over the Internet or a toll network does not teach or suggest selecting a type of signaling channel. As discussed at, for example, col. 3, lines 22-30, CCS7 signaling is used. Therefore, a type of signaling channel is not selected in Dunn because Dunn clearly discloses the use of CCS7 signaling. Further, since Dunn does not disclose selecting a type of signaling channel, Dunn also does not disclose that the signaling configuration produced depends on the selected type of signaling channel.

Claim 1 also recites “a receiver for adding a receive flag to a received signaling message.” The Examiner asserts that col. 3, lines 45-50 teach this aspect of the claim. The aspect of Dunn cited by the Examiner discloses adding the identification of a switch 2. The identification of a switch 2 is not a receive flag. One of skill in the art would not confuse an ID of a switch with a receive flag.

Further, there does not appear to be a relationship between switching network 6, which the Examiner asserts teaches the claimed coupler accessing signaling channels to transmit signaling messages, and the messages received by switch 2 (receiver for adding a receive flag to a received signaling message as cited by the Examiner).

Claim 1 recites “wherein the order is a predetermined constant character string.” The Examiner asserts that col. 3, lines 18-21 and col. 4, lines 5-8 teach this aspect of the claim. The portions of Dunn cited by the Examiner disclose that dialed information such as digits or symbols can be used to specify that a particular call or series of calls are to be routed over the Internet.

There is no teaching or suggestion that the order (for the interpreter to send a signaling message) is a predetermined constant character string. On page 22 of the Office Action, the Examiner asserts that typically the dialed digits are assigned to a particular terminating station.

Dunn merely discloses that “...dialed information, such as one or more preliminary digits or symbols, can be used to specify that a particular call or series of calls are to be routed over the Internet, or are to be routed over the telephone network.” However, there is no teaching or suggestion that the dialed digits are assigned to a particular termination station. The Examiner’s reasoning appears to be merely a result of hindsight upon viewing the Applicant’s disclosure. Further, there is no teaching or suggestion that the dialed digits are a predetermined constant character string, as claimed.

Claim 1 further recites “wherein the receive flag is an internal flag of the switch and is not transmitted with the signaling message from the switch.”

The Examiner concedes that this is not disclosed in Dunn and cites Park, col. 4, lines 2-28, to cure the deficiency. The portions of Park cited by the Examiner disclose:

The announcement voice output state data which is transmitted from the CPU 23 to the host processor 21 includes an output state identification flag (see the table

1). To input and output the above data, the common memory 22 is provided with a transmit flag area TFA, a receive flag area RFA and a data area DTA as shown in FIG. 3. The output command identification flag from the host processor 21 is written in the transmit flag area TFA of the common memory 22. The output state identification flag from the CPU 23 is written in the receive flag area RFA of the common memory 22. The message identification flag from the host processor 21 is written in the data area DTA of the common memory 22. The output command identification flag written in the transmit flag area TFA is allocated with 1 byte for each voice service channel. The output state identification flag written in the receive flag area RFA is allocated with 1 byte for each voice service channel. The message identification flag written in the data area DTA is allocated with 16 bytes for each voice service channel.

However, there is no teaching or suggestion that the receive flag is an internal flag of the switch and is not transmitted with the signaling message from the switch.

Further, even if Park were to teach this aspect of the claim, it would not be obvious to modify Dunn to incorporate this feature. Specifically, Dunn discloses that the ID of switch 2, receive flag as cited by the Examiner, is included in a packet. Therefore, it would appear to defeat the operation of Dunn if the ID of the Switch was not transmitted.

For at least the above reasons, claim 1 and its dependent claims should be deemed allowable. To the extent claims 3, 9, 15, 17, 18 and 19 recite similar subject matter, claims 3, 9, 15, 17, 18 and 19 and their dependent claims should be deemed allowable for at least the same reasons.

VII. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the

AMENDMENT UNDER 37 C.F.R. § 1.116
U.S. Appln. No.: 09/323,135

Attorney Docket No.: Q54622

Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

/Ruthleen E. Uy/

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

Ruthleen E. Uy
Registration No. 51,361

WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Date: November 20, 2008